

Docket No.: 1254-0298PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Takashi HIRAO et al.

Application No.: 10/556,903

Confirmation No.: 7071

Filed: November 15, 2005

Art Unit: N/A

For: QUANTITATIVE PCR METHOD OF
DETECTING SPECIFIC PLANT GENUS IN
FOOD OR FOOD INGREDIENT

Examiner: Not Yet Assigned

REPLY TO NOTIFICATION OF DEFECTIVE RESPONSE

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Defective Response dated May 2, 2007, Applicant respectfully submits:

- ☒ **Attached is a copy of the Notification of Defective Response.**
- ☐ Attached are sheet(s) of drawings. Please substitute these replacement drawings for the corresponding sheets of drawings on file in the above-identified application.
- ☒ **Attached are a paper copy and a computer readable form (CRF) copy of the Sequence Listing submitted on November 27, 2006.**
- ☒ **Attached is a preliminary amendment.**
- ☐ Attached is a Claim for Priority document.

☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).

☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).

☐ Attached is a substitute specification which complies with 37 C.F.R. § 1.52. Also attached is a marked-up version, showing the changes made. The substitute specification does not contain new matter.

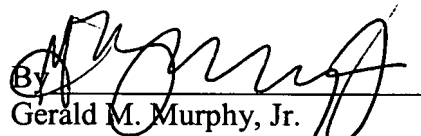
☐ Attached is a Petition for Extension of Time.

☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: MAY 14 2007

Respectfully submitted,

By 

Gerald M. Murphy, Jr.

Registration No.: 28,977

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

Attachment(s)





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/556,903	Takashi Hirao	1254-0298PUS1

2292

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

DOCKETED

sequence listing
6.2.2007

INTERNATIONAL APPLICATION NO.

PCT/JP04/06913

I.A. FILING DATE

05/14/2004

PRIORITY DATE

05/16/2003

CONFIRMATION NO. 7071

371 FORMALITIES LETTER



OC000000023636252

Date Mailed: 05/02/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 11/15/2005
- English Translation of the IA filed on 11/15/2005
- Copy of the International Search Report filed on 11/15/2005
- Copy of IPE Report filed on 11/15/2005
- Preliminary Amendments filed on 11/15/2005
- Information Disclosure Statements filed on 11/15/2005
- Biochemical Sequence Diskette filed on 11/15/2005
- Oath or Declaration filed on 11/15/2005
- Request for Immediate Examination filed on 11/15/2005
- U.S. Basic National Fees filed on 11/15/2005
- Assignment filed on 11/15/2005
- Priority Documents filed on 11/15/2005
- Specification filed on 11/15/2005
- Claims filed on 11/15/2005
- Abstracts filed on 11/15/2005
- Drawings filed on 11/15/2005

Applicant's response filed 11/27/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 09/26/2006 have not been completed.

- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the

"Sequence Listing", as well as an amendment specifically directing its entry into the application.

Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/556,903	PCT/JP04/06913	1254-0298PUS1